

## § 153.15

(a) The ship's owner must make a request to the OCMI for the IMO Certificate.

(b) The ship must meet this part.

(c) Self-propelled ships contracted for after November 1, 1973 but built before December 28, 1977 must meet requirements in this part that apply to a self-propelled ship built on December 28, 1977.

(d) Non-self-propelled ships contracted for after November 1, 1973 but built before July 1, 1983 must meet the requirements in this part applying to non-self-propelled ships built on July 1, 1983.

[CGD 81-101, 52 FR 7780, Mar. 12, 1987, as amended by CGD 95-010, 62 FR 67537, Dec. 24, 1997]

## § 153.15 Conditions under which the Coast Guard issues a Certificate of Inspection or Certificate of Compliance.

(a) The Coast Guard issues the endorsed Certificate of Inspection required under §153.900 for a United States ship to carry a hazardous material or NLS listed in Table 1 if—

(1) The person wishing the Certificate of Inspection applies following the procedures under §153.8; and

(2) The ship meets the design and equipment requirements of this part and—

(i) Subchapter D of this chapter if the hazardous material or NLS is flammable or combustible; or

(ii) Either Subchapter D or I of this chapter, at the option of the ship owner, if the hazardous material or NLS is non-flammable or non-combustible.

(b) The Coast Guard issues the endorsed Certificate of Compliance required under §153.900 for a foreign ship to carry a hazardous material or NLS listed in Table 1 if—

(1) The person wishing the Certificate of Compliance follows the procedures under §153.9;

(2) The ship has an IMO Certificate issued by its Administration and endorsed with the name of the hazardous material or NLS if the ship's Administration is signatory to MARPOL 73/78;

(3) The ship meets the requirements of this part applying to United States ships and §30.01-5(e) of this chapter if

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the ship's Administration is not signatory to MARPOL 73/78; and

(4) The ship meets any additional design and equipment requirements specified by the Commandant (G-MSO).

[CGD 81-101, 52 FR 7780, Mar. 12, 1987]

## § 153.16 Requirements for foreign flag vessel permits.

To have its Certificate of Compliance endorsed to carry a cargo listed in Table 1, a foreign flag vessel must:

(a) Have an IMO Certificate, if the flag administration issues IMO Certificates, endorsed with the name of the cargo and meet any specific requirements in this subpart that the Commandant (G-MSO) may prescribe; or

(b) Meet the requirements of this subpart and §30.01-5(e) of this chapter.

[CGD 73-96, 42 FR 49027, Sept. 26, 1977, as amended by CGD 82-063b, 48 FR 4781, Feb. 3, 1983; CGD 81-052, 50 FR 8733, Mar. 5, 1985; CGD 81-101, 52 FR 7780, Mar. 12, 1987; CGD 95-027, 61 FR 26008, May 23, 1996]

## § 153.30 Special area endorsement.

The Coast Guard endorses the Certificate of Inspection of a United States ship allowing it to operate in special areas if the ship owner—

(a) Requests the endorsement following the procedures in §153.8;

(b) Shows that the ship meets the design and equipment requirements applying to ships operating in special areas contained in Regulations 5, 5A, and 8 of Annex II and the Standards for Procedures and Arrangements.

[CGD 81-101, 52 FR 7780, Mar. 12, 1987]

## § 153.40 Determination of materials that are hazardous.

Under the authority delegated by the Secretary of Transportation in 49 CFR 1.46(t) to carry out the functions under 49 U.S.C. 1803, the Coast Guard has found the following materials to be hazardous when transported in bulk:

(a) Materials listed in Table 30.25-1 of this chapter.

(b) Materials listed in Table 151.05.

(c) Materials listed in Table 1.<sup>1</sup>

<sup>1</sup>Those hazardous material cargoes designated Category A, B, C, or D in Table 1 are also Noxious Liquid Substances under Annex II and the Act to Prevent Pollution from Ships, 33 U.S.C. 1901 *et seq.*